

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

In re:

Chapter 7 Bankruptcy

BRUCE FARLOW,

Case No: 8:18-bk-06677-MGW

Debtor.

JOHN D. GENTIS, SHALIMAR MHP, LLC,
a Florida limited liability company, and GFB
PARTNERS, LLLP, a Florida limited liability
limited partnership,

Plaintiffs,

v.

Adversary Proceeding No.:
8:18-AP-00575-MGW

BRUCE L. FARLOW,

Defendant.

MOTION FOR WRIT OF GARNISHMENT POST JUDGMENT
DIRECTED TO COLDWELL BANKER RESIDENTIAL REAL ESTATE LLC
WITHOUT NOTICE

The Plaintiffs', Shalimar MHP, LLC and GFB Partners, LLLP, by and through its undersigned counsel, move the Court pursuant to Fla. Stat. §77.03(2019) for a writ of garnishment after judgment to be served upon Coldwell Banker Residential Real Estate LLC. See Exhibit B and Exhibit C respectively.

1. On August 9, 2019, Plaintiff, Shalimar MHP, LLC, obtained a Final Judgment of Nondischargeability (Judgment) for the principal sum of \$8,544.49 plus prejudgment interest in the amount of \$1,981.07 and costs in the amount of \$1,254.25, for a total of \$11,779.81. See Exhibit A.

2. On August 9, 2019, Plaintiff, GFB Partners, LLLP, obtained a Final Judgment of Nondischargeability (Judgment) for the principal sum of \$103,570.37 plus prejudgment interest in the amount of \$22,721.41 for a total of \$126,291.78. See Exhibit A.

3. Plaintiff, Shalimar MHP, LLC, has collected \$0.00 toward the satisfaction of the Judgment and is owed the principal sum of \$8,544.49 plus prejudgment interest in the amount of \$1,981.07 and costs in the amount of \$1,254.25, for a total of \$11,779.81.

4. Plaintiff, GFB Partners, LLLP, has collected \$0.00 toward the satisfaction of the Judgment and is owed the principal sum of \$103,570.37 plus prejudgment interest in the amount of \$22,721.41 for a total of \$126,291.78.

5. Plaintiffs, Shalimar MHP, LLC and GFP Partners, LLLP, do not believe that the Defendant, Bruce Farlow, has visible property on which a levy can be made sufficient to satisfy said judgment.

6. Moreover, Bruce Farlow is licensed by the State of Florida as a real estate agent and is an agent with Coldwell Banker Residential Real Estate LLC (Coldwell Banker) located in

Longboat Key, Florida. Mr. Farlow receives compensation in the form of commissions and other compensation from Coldwell Banker

7. Coldwell Banker is registered with the State of Florida as a Foreign Limited Liability Company with its registered agent as Corporations Creation Network, Inc, 11380 Prosperity Farms Road, #221E, Palm Beach Gardens, Florida 33410

8. Plaintiff suggests that Coldwell Banker is indebted to and/or has tangible or intangible personal property of the Judgment Debtor, in his hands, possession or control, and moves that the Clerk of Court issue a Writ of Garnishment, commanding Coldwell Banker Residential Real Estate LLC c/o Corporations Creation Network, Inc, 11380 Prosperity Farms Road, #221E, Palm Beach Gardens, Florida 33410 named above to answer according to the law in such cases provided.

WHEREFORE Plaintiffs, Shalimar MHP, LLC and GPB Partners, LLLP, move the Court to issue a Writ of Garnishment directed to Coldwell Banker Residential Real Estate LLC.

DATED this 19^h day of September, 2019.

**ICARD, MERRILL, CULLIS,
TIMM, FUREN & GINSBURG, P.A.**

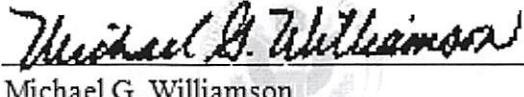
By:

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ORDERED.

Dated: August 09, 2019


Michael G. Williamson
Chief United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
www.flmb.uscourts.gov

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Chapter 7

Bruce Farlow,

Debtor.

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John D. Gentis, Shalimar MHP, LLC,
a Florida Limited Liability Company,
and GFB Partners, LLLP, a Florida
Limited Liability Partnership,

Adv. No. 8:18-ap-00575-MGW

Plaintiffs,

v.

Bruce Farlow,

Defendant.

/

FINAL JUDGMENT OF NONDISCHARGEABILITY

THIS PROCEEDING came on for trial on July 23, 2019, at 9:30 a.m., on
Plaintiffs John D. Gentis, Shalimar MHP, LLC, and GFB Partners, LLLP's



Complaint to Determine Nondischargeability of Debts.¹ In their complaint, the Plaintiffs alleged Defendant, Bruce Farlow, made unauthorized withdrawals from Shalimar MHP and GFB Partners and used a company card to pay his personal expenses without authorization.

The Plaintiffs filed their complaint seeking a determination that the amounts Farlow owes them are nondischargeable under Bankruptcy Code §§ 523(a)(2)(A) (Count I), 523(a)(4) (Count II), and 523(a)(6) (Count III). At trial, Plaintiff John Gentis withdrew his individual claims, leaving Shalimar MHP's and GFB Partners' claims remaining for trial. For the reasons stated orally and announced in open court at the conclusion of trial, the Court concludes that Shalimar MHP's and GFB Partners' claims are nondischargeable under Bankruptcy Code § 523(a)(4).

Accordingly, it is

ORDERED:

1. Plaintiff John Gentis shall recover nothing on his claims.
2. Plaintiff Shalimar MHP, LLC shall recover from Defendant, Bruce Farlow, the principal sum of \$8,544.49, plus prejudgment interest in the amount of \$1,981.07 and costs in the amount of \$1,254.25, for a total of \$11,779.81, for which let execution issue forthwith.

¹ Doc. No. 1.

3. Plaintiff GFB Partners shall recover from Defendant, Bruce Farlow, the principal sum of \$103,570.37, plus prejudgment interest in the amount of \$22,721.41, for a total of \$126,291.78, for which let execution issue forthwith.

4. This final judgment shall accrue postjudgment interest under 28 U.S.C. § 1961.

5. The amounts owed under this final judgment are not dischargeable in this bankruptcy case.

The Clerk is directed to serve a copy of this final judgment on interested parties who are non-CM/ECF users.

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BRUCE L. FARLOW,

Defendant.

WRIT OF GARNISHMENT

To the United States Marshal for the Middle District of Florida:

01041163-1



YOU ARE COMMANDED to summon the Garnishee, Coldwell Banker Residential Real Estate LLC c/o Corporations Creation Network, Inc, 11380 Prosperity Farms Road, #221E, Palm Beach Gardens, Florida 33410 to serve an answer to this Writ within twenty (20) days after service on the Garnishee, exclusive of the day of service, and to file the original with the Clerk of this Court stating whether the Garnishee is indebted to Judgment Debtor, Shalimar MHP, LLC at the time of the answer or was indebted at the time of service of the Writ, or at any time between such times, and in what sum and what tangible and intangible property of the Judgment Debtor, the Garnishee is in possession or control of at time of the answer or had at the time of service of this Writ, indebted to the Judgment Debtor The amount set in Debtor's motion is for the principal sum of \$8,544.49 plus prejudgment interests in the amount of \$1,981.07 and costs in the amount of \$1,254.25, for a total of \$11,779.81.

Dated _____

**Sheryl L. Loesch
As Clerk of the Court**

**By: _____
As Deputy Clerk**

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EXHIBIT

C

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Dated _____

Sheryl L. Loesch
As Clerk of the Court

By: _____
As Deputy Clerk